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10/826,819	04/16/2004	Leonard T. Chapman	54767.8068.US00	1737
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SAUNDERS, PAUL				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,819

Applicant(s)

CHAPMAN, LEONARD T.

Examiner

PAUL SAUNDERS

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 15, 16, 18, 19 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 15, 16, 18 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 19 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The Examiner makes note that the status of claim 18 is unclear. As specified in the Remarks and Amendments to the Claims, claim 18 is canceled. However, as also specified in the Amendments to the Claims, claim 18 is pending as previously presented. The Applicant is required to make clear the current status of claim 18. For this Office Action claim 18 is considered canceled.

Response to Arguments

2. Applicant's arguments with respect to claims 1,3 and 5 have been considered but are moot in view of the new ground(s) of rejection. The Examiner thanks the Applicant for providing support and explanation regarding the current claim amendments. The Examiner acknowledges that claims have issued in Chapman (US 7,137,747), a CIP of present application.

Claim Objections

3. **Claims 19 and 24-25** are objected to because of the following informalities. Appropriate correction is required.

Regarding **claim 19**, in order to incorporate all the limitations of the base claim, and dependant claim it need be clear that the springs and dampeners are connected to the same bar. Thus it is suggested that the limitation "and a plurality of dampening

elements attached to a bar on the base" be modified to "and a plurality of dampening elements attached to athe bar on the base."

Regarding **claim 24**, it is suggested that it depend from claim 3 instead of claim 1 such that the phrase "first angle" may have antecedent basis.

Regarding **claim 25**, it is suggested that the limiting phrase "at least one leveling rod having a front pivotally attached to the leveling plate" be modified to "at least one leveling rod having a front end pivotally attached to the leveling plate."

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. **Claims 5, 8, 15-16 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353)
- iii. Gotschalk (US 4,158,490).

Regarding **claim 5**, Coutant discloses a shock and vibration isolator for a camera (figs. 1-2), comprising: first and second spaced apart side plates (fig. 2 – portion of base 6 comprises 2 side plates wherein arm 7 is placed between them as shown); an axle connecting to the side plates; an arm 7 attached to the axle, with the arm pivotable relative to the side plates (fig. 2 – axle being where arm connects to side

plates); at least one spring 9 having a first end connected to the arm at a first location (fig. 2); at least one dampener 16.

Coutant does not expressly disclose a bar attached to the side plates; the at least one spring having a second end connected to the bar; at least one viscous dampener having a second end connected to the bar, having a first end connected to the arm at a second location closer to the bar than the first location; first and second spaced apart leveling plates pivotably attached to the arm; and first and second leveling rods pivotably attached respectively to the first and second side plates.

Kuhn discloses shock and vibration support structure having a spring 58 and a dampener 124 connected to a bar 42 at different locations wherein the dampener is connected to the arm closer to the bar (fig. 2, col. 3 lines 24-25, col. 4 lines 21-24). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the dampener and spring taught by Coutant to both connect the bar and to the arm at first and second locations, the second closer, as taught by Kuhn because they are functional equivalents in providing overall isolation.

Gottschalk discloses a shock and vibration isolator for a camera, comprising: at least one viscous dampener 83 connected to the arm (col. 4 lines 3-5 – connected being mounted on); first and second spaced apart leveling plates 44 pivotably attached to the arm (fig. 3, col. 3 lines 14-16 – the two protruding sides of 44 constitute side plates); and first and second leveling rods 47 pivotably attached respectively to the first and second side plates (fig. 5, col. 3 lines 12-14, 16-18). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to replace the

dampener 16, leveling rod 8 and plate 5 (Coutant fig. 1) taught by Coutant in view of Kuhn with a viscous dampener, leveling plates and rods as taught by Gottschalk because they are functional equivalents.

Regarding **claim 8**, Coutant discloses the isolator of claim 5 further including means 10 for adjusting tension in the springs (Title, fig. 1).

Regarding **claims 15-16**, they are similarly rejected as in the preceding office action as disclosed by Gottschalk.

Regarding **claim 22**, Coutant discloses the camera support of claim 5 wherein the arm is pivotally attached to an axle supported by the side plates, with the axle positioned below the bar (fig. 1 – the arm 7 is attached below the spring 9).

6. **Claims 1, 3-4 and 24-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353).

Regarding **claim 1**, Coutant in view of Kuhn (refer to the rejection of claim 5) discloses a camera support, comprising: a base; an isolator plate attached to the base and pivotable in a vertical direction; one or more springs attached to the plate for exerting a spring force in a first direction, between the base and the plate; and one or more dampening elements attached to the base and the plate for exerting a dampening

force, in a second direction, different from the first direction, between the base and the plate.

Regarding **claim 3**, Coutant in view of Kuhn (refer to the rejection of claim 5) discloses a camera support, comprising: a vertical axis system including: a base; an arm pivotably attached to the base at a first location; at least one spring connected to the base and to the arm with the spring and the arm forming a first angle between them; at least one dampener connected to the base and to the arm, with the dampener and the arm forming a second angle between, greater than the first angle (Coutant in view of Kuhn - the dampener connected closer to the base than the spring renders a second angle greater than the first angle); a horizontal axis system 4 supported by the vertical axis system 6 (Coutant fig. 1); and a leveling linkage 7,8 connecting the vertical and horizontal axis systems (Coutant fig. 1).

Regarding **claim 4**, Coutant discloses the camera support of claim 3 further including adjustment features 10 for adjusting the leveling linkage to compensate for angulation movement of the base (Title, fig. 1).

Regarding **claim 24**, Coutant discloses the camera support of claim 3 wherein the first angle is from 2-20 degrees (fig. 1).

Regarding **claim 25**, Coutant in view of Kuhn (refer to the rejection of claim 5) discloses a camera support, comprising: a base; at least one leveling plate 5 (Coutant fig. 1); an arm having a front end pivotally attached to the leveling plate and having a back end pivotally attached to the base; at least one leveling rod 8 having a front pivotally attached to the leveling plate and having a back end pivotally attached to the base, with the base leveling plate, arm and leveling rod forming a parallelogram linkage (Coutant fig. 1); at least one spring 9 attached to the base and to the arm (Coutant fig. 1); at least one dampening element attached to the base and to the arm, and with the spring and the dampening element positioned substantially entirely within the parallelogram linkage (Coutant in view of Kuhn - the spring and dampening element would be positioned substantially entirely within the linkage).

7. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353)
- as applied to claim 5 above, and further in view of
- iii. Chapman (US 4,989,823).

Regarding **claim 2**, it is similarly rejected as in the preceding office action as disclosed by Chapman.

8. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353)
- iii. Gotschalk (US 4,158,490)
- as applied to claim 5 above, and further in view of
- iv. Dykyj (US 6,752,541 B1).

Regarding **claim 6**, it is similarly rejected as in the preceding office action as disclosed by Dykyj.

9. **Claim 7** rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353)
- iii. Gotschalk (US 4,158,490)
as applied to claim 5 above, and further in view of
- iv. Sweere (US 5,876,008).

Regarding **claim 7**, it is similarly rejected as in the preceding office action as disclosed by Sweere.

10. **Claims 9-12** rejected under 35 U.S.C. 103(a) as being unpatentable over

- i. Coutant (FR 2,380,492 A) in view of
- ii. Kuhn (US 4,221,353)
- iii. Gotschalk (US 4,158,490)
as applied to claim 5 above, and further in view of
- iv. Chapman (US 4,989,823).

Regarding **claims 9-12**, they are similarly rejected as in the preceding office action as disclosed by Chapman.

11. **Claim 23** rejected under 35 U.S.C. 103(a) as being unpatentable over

- iv. Coutant (FR 2,380,492 A) in view of
- v. Kuhn (US 4,221,353)
as applied to claim 5 above, and further in view of
- vi. Case Law.

Regarding **claim 23**, Coutant as viewed does not expressly disclose the camera support of claim 1 further comprising a plurality of dampening elements and a plurality of springs, with the springs and dampening elements in an alternating arrangement.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate more than one spring and dampening element, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. Further, alternating arrangement would always be maintained such as two springs, then two dampening elements or one spring two dampening elements then one spring.

Allowable Subject Matter

12. **Claims 19 and 21** are objected to in the above claim objections, but would be allowable if rewritten to overcome the above objection.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Feucht (US 2,703,222) teaches a parallelogram linkage.

Blumhardt (US 4,441,655) teaches a parallelogram linkage with spring and dampening element.

Chapman (US 6,579,016 B2) teaches first and second spaced apart leveling plates and first and second leveling rods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL SAUNDERS whose telephone number is (571)270-3319. The examiner can normally be reached on Mon-Thur 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on 571.272.7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PS/
8/26/2008

*/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622*